



Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Stephen M. Haase

SUBJECT: SEE BELOW

DATE: February 26, 2004

COUNCIL DISTRICT: 4

SUBJECT: PDC03-068. PLANNED DEVELOPMENT REZONING FROM HI HEAVY INDUSTRIAL TO A(PD) PLANNED DEVELOPMENT ZONING DISTRICT TO ALLOW THE CONSTRUCTION OF UP TO 107 SINGLE-FAMILY DETACHED RESIDENCES FOR A PROPERTY LOCATED ON THE SOUTHWEST CORNER OF OAKLAND ROAD AND ROCK AVENUE.

RECOMMENDATION

The Planning Commission voted 4-2-1 (Zito and Levy opposed, James absent) to recommend that the City Council approve the rezoning.

BACKGROUND

On February 9, 2004, the Planning Commission held a public hearing to consider a Planned Development rezoning from HI Heavy Industrial Zoning District to A(PD) Planned Development Zoning District to allow the construction of up to 107 single-family detached residences. The proposed rezoning was heard in conjunction with a General Plan Amendment (GP03-04-01) to change the General Plan Land Use/Transportation diagram designation on the subject property from LI Light Industrial to Medium Density Residential (8-16 DU/AC). The Planning Director recommended no change to the Industrial Park designation. The Planning Commission voted 5-2-0 (Commissioners Levy and Zito opposed) to recommend approval of the General Plan Amendment to the City Council.

Neighborhood Park and Amenities

Although the Planning Commission recommended approval of the General Plan amendment, the PD rezoning was continued to the February 25 Planning Commission meeting with direction to staff to work with the City's Parks Department and the applicant to address concerns regarding lack of residential amenities in the area, specifically a neighborhood park. The Commission directed staff and the applicant to evaluate whether an on-site park of approximately one-acre could be provided with the proposed development.

In response to the Planning Commission's concerns, planning staff proposed the inclusion of a centrally located, on-site park to be included in the project, and provided the Commission with a supplemental memorandum and conceptual diagram for their consideration at the February 25th hearing. (See attached supplemental staff report.) Staff's position regarding the park is explained in the attached supplemental staff report.

The Director of Planning, Building and Code Enforcement recommended approval of the proposed rezoning subject to the condition that a park of approximately one (1) acre in size with a frontage road to grant direct access to the park be provided on the project site.

The applicant did not propose any changes to the proposed project, and maintained the position that a park on site would constrain the design of the development and result in a net loss of residential units. The applicant indicated a continued preference to provide park improvements to the proximate public school site (Orchard Elementary School).

Public Testimony

The applicant, Joe Head, Vice President of Summerhill Homes, indicated that the conceptual park design prepared by staff was a good representation of an on-site park alternative. However, Mr. Head reiterated that their proposal would provide improvements to the Orchard School property. Mr. Head indicated that the school district was supportive of improvements to the Orchard School property and that the lands would be made available. He indicated that an on-site requirement for dedication of a one-acre neighborhood park would result in the loss of up to 14 units and could affect the economic viability of the project.

No one from the public spoke on this item. The Planning Commission then closed the public hearing.

Commission Discussion

Several Commissioners asked for staff clarification as to whether the current Parkland Dedication Ordinance would permit parkland fees to be used for park improvements to a public school site. Dave Mitchell, Parks Planning Manager in the Department of Parks, Recreation and Neighborhood Services, indicated that up to 50% of the fees could be used for improvements to a public school site provided an easement over the improved land was granted to the City to allow a park.

Dave Mitchell further indicated that the Parks Department would prefer a dedication of one-acre of park land as part of the project rather than the use of PDO funds for the provision of park improvements at the nearby school and noted that Council District 4 is relatively short in City-owned neighborhood parkland, with school sites providing relatively more of the neighborhood-serving recreational lands. Planning staff reiterated the staff analysis that an on-site park would be preferable to park improvements on the Orchard School site because a new park would enhance the livability of the new development, and would provide a proximate amenity for the existing mobile home park north of Rock Avenue, and serve as a building block for future park expansion in the likely event of additional residential development of surrounding properties.

Commissioner Zamora indicated that improvement to the school site would greatly benefit Orchard School and that the City should work to assist school districts in any way possible in light of the economic hardship that many local school districts are currently experiencing.

Commissioner Zito commended staff for their recommendation and conceptual plan for an on-site park. He expressed concern with the applicant's proposal to locate the park improvements on the school property, indicating that this option could limit the school's ability for expansion in the future, and would require project residents to cross a planned four-lane arterial (future Charcot Avenue extension) in order to access the park. Commissioner Zito also questioned whether a park on the school grounds would be available to the public for the typical sunrise to sunset hours, noting security concerns the school might have about public access while students would be using the school grounds. He indicated that although there may not be funds to improve dedicated parkland at this time, the City should acquire the land now, given this opportunity. He further stated that accessible parkland is very important to provide for the recreation needs of the children of the new residential development. Commissioner Levy concurred with these concerns and added that if parkland is not secured as part of this development on the largest parcel in the immediate area, future parkland will be even more difficult to obtain if, as is anticipated, neighboring industrial parcels are converted to residential.

Commissioner Zamora then made a motion to recommend approval of the applicant's proposal to the City Council, without staff's recommended conditions. The motion was seconded.

Commissioners Zito and Levy indicated that they would not be supporting the motion for the reason that District 4 currently has an imbalance of school land to park land considered for neighborhood-serving recreational uses, that a centrally-located park would create a better sense of community, that a pedestrian crossing of an arterial street to access the park on the school site could potentially be dangerous, and that development of a park at Orchard School could limit the school's future ability to expand should it become necessary with the future students resulting from anticipated new residential development.

Commissioner Campos spoke in support of the motion, stating that the City should use this as a "blue print" for a partnership between the school district and the City to allow this type of improvement to occur in areas that have school land available but no other lands available for park development.

Commissioner Zito made a recommendation for a friendly amendment to the motion to include as a condition of the recommended approval that the developer provide either an approximately one acre park on the site, or provide the necessary recreation easement on the school property for park improvements, and requested assistance from the City Attorney who clarified such a condition should reflect that such a park be provided at either location in accordance with the Parkland Dedication Ordinance. Commissioner Zito then queried if the motion could be further amended to address the project's orientation to Oakland Road and the possible inclusion of a frontage road on the western boundary.

Commissioner Zamora then rejected all amendments to his original motion indicating that the motion was becoming too complicated and that he would stand on his original motion, and Commissioner Platten called for the vote.

The Planning Commission then voted 4-2-1 (Commissioner Zito and Levy opposed, Commissioner James absent) to recommend to the City Council approval of the applicant's proposed rezoning of the subject property to A(PD) Planned Development zoning district to allow up to 107 single-family detached units.

PUBLIC OUTREACH

A notice of the public hearing was distributed to the owners and tenants of all properties located within 500 feet of the project site. Staff has been available to discuss the proposed rezoning with the public. A staff report has been posted on the City's website.

COORDINATION

As standard procedure in the development review process, this project was coordinated with the Department of Public Works, Fire Department, Police Department, Environmental Services Department, Parks Department and the City Attorney.

CEQA

Negative Declaration adopted February 9, 2004.

STEPHEN M. HAASE
Secretary, Planning Commission

c: Robert Hencken, Summerhill Homes, 777 California Avenue, Palo Alto, CA 94034

